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6 Magistrate Judge Arnold
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17 UNITED STATES DISTRICT COURT
18 WESTERN DISTRICT OF WASHINGTON
19 AT TACOMA
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32 UNITED STATES OF AMERICA,)
33 Plaintiff,) NO.: 3:05 CR- 5597
34)
35 vs.)
36) STIPULATED ORDER ON MOTION TO
37 CAMERON B. EVANS,) CONTINUE TRIAL DATE
38)
39 Defendant.) Noted for: December 9, 2005
40 _____)

41 This Court has considered the Defendant's Motion to Continue Trial. Trial in this case
42 currently is scheduled for December 12, 2005. The Court finds that Mr. Evans is currently
43 unavailable to meet with the US Probation Department due to his temporary military assignment out
44 of the area. The Defendant must meet with Probation to be evaluated for his request for a deferred
45 prosecution. Therefore, the Court finds, pursuant to 18 U.S.C. § 3161(h)(b)(iv), that a continuance
46 is necessary.

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The Court also finds that the government agrees with defendant's request for additional time, and is not prejudiced thereby. This Court also finds that the defendant agrees with defense counsel's assertions and also wishes to delay the trial.

The Court further finds, pursuant to 18 U.S.C. § 3161(h)(8)(a) that the ends of justice will be served by continuing the trial in this case, in order to allow the defendant additional time to seek evidence on his behalf in this case, and for both the defense and the government to prepare effectively for trial on the existing charges, outweigh the interest of the public and of the defendant in a more speedy trial.

The Court further

IT IS THEREFORE ORDERED that the trial in this case shall be continued until January 30, 2006, and that the period of time from the date of this order up to and including January 30, 2006, shall be excludable time under 18 U.S.C. § 3161(h)(8)(a).

DATED this 8TH day of December, 2005.

/s/ J. Kelley Arnold

Hon. J. KELLEY ARNOLD

United States District Court Magistrate Judge

Presented by:

s/ Philip E. Thornton

WSBA No. 20077

Philip E. Thornton, Attorney for Defendant

901 South I Street, Suite 201

Tacoma, WA 98405

(253) 383-3102

(253) 272-9220 fax

E-mail: pthorntonatty@qwest.net

Agreed and Approved By:

s/ Glenn Templeton [telephonic approval]

Glenn Templeton, Magistrate Prosecutor Ft. Lewis

Office of the Staff Judge Advocate

P.O. Box 33695

Fort Lewis, WA 98433

(253) 967-0089

(253) 967-0140 fax

STIPULATED ORDER ON MOTION TO
CONTINUE TRIAL DATE

Page 2

**THE LAW OFFICE OF
PHILIP E. THORNTON**

901 SOUTH "I" STREET, SUITE 201
TACOMA, WA 98405

TEL. (253) 383-3102